

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CLIFFORD SCHUETT,

Plaintiff,

ORDER

v.

14-cv-637-wmc

WISCONSIN ATTORNEY GENERAL, *et al.*,

Defendants.

Prison inmate Clifford Schuett (#01930-046) has filed a complaint against the Wisconsin Attorney General's Office under 42 U.S.C. § 1983, alleging employment discrimination. Schuett seeks leave to proceed with his claims without prepayment of the filing fee and he has also submitted a motion for a court order compelling the warden at the Nevada Southern Detention Center to stop interfering with his mail. These motions will be denied for reasons outlined briefly below.

Court records reflect that Schuett has filed at least 77 previous lawsuits nationally, including a dozen recent complaints similar to the one pending here in the Western District of Wisconsin. At least two other courts have already rejected Schuett's complaint as legally frivolous or for failure to state a claim. *See Schuett v. U.S. Attorney General*, No. 14-cv-3101 (N.D. Ga. Sept. 30, 2014); *Schuett v. Attorney General of Cal.*, No. 14-cv-6794 (C.D. Cal. Sept. 26, 2014).

Apart from these recent lawsuits, it further appears that Schuett already has at least three strikes against him for purposes of 28 U.S.C. § 1915(g) for filing frivolous lawsuits. *See Schuett v. Governor, State of Hawaii*, No. 14-cv-374 (D. Hawaii Oct. 1, 2014) (listing three

strikes and directing Schuett to show cause within thirty days why the complaint should not be dismissed pursuant to 28 U.S.C. § 1915(g)).

Schuett does not establish that his mail has been interfered with in any material respect or that his right to access the courts has been abridged in any way. Accordingly, his motion to stop mail interference will be denied. Further, based on Schuett's record of filing repetitive, non-meritorious lawsuits, Schuett's motion for leave to proceed *in forma pauperis* in this case will also be denied at this time. Thus, for this lawsuit to proceed Schuett must pay the full amount of the filing fee within thirty days.

ORDER

IT IS ORDERED that:

1. Schuett's motion to stop mail interference (dkt. # 6) is DENIED.
2. Schuett's motion for leave to proceed *in forma pauperis* (dkt. # 2) is also DENIED.
3. For this case to proceed, Schuett must pay the full amount of the filing fee (\$400) within thirty days of the date of this order. Schuett's failure to comply as directed will result in the dismissal of this lawsuit without further notice pursuant to Fed. R. Civ. P. 41(b).

Entered this 7th day of October, 2014.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge